

PARTIAL TRANSCRIPT

Day 3 - 1

2:16-cr-46-GMN-PAL - February 9, 2017

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,) Case No. 2:16-cr-46-GMN-PAL
4 Plaintiff,)
5 vs.) Las Vegas, Nevada
6 ERIC J. PARKER (11),) Thursday, February 9, 2017
7 O. SCOTT DREXLER (12),) 9:02 a.m.
8 RICHARD R. LOVELIEN (13),) Courtroom 7C
9 STEVEN A. STEWART (14),)
10 TODD C. ENGEL (15),) JURY TRIAL, DAY 3
11 GREGORY P. BURLESON (16),) (GOVERNMENT'S OPENING STATEMENT)
12 Defendants.)
13 _____

CERTIFIED COPY

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15 REPORTER'S PARTIAL TRANSCRIPT OF PROCEEDINGS

16 BEFORE THE HONORABLE GLORIA M. NAVARRO,
17 UNITED STATES DISTRICT CHIEF JUDGE

18 APPEARANCES:

19 For the Plaintiff:

20 STEVEN W. MYHRE, AUSA
21 NADIA JANJUA AHMED, AUSA
22 NICHOLAS D. DICKINSON, AUSA
23 ERIN M. CREEGAN, SAUSA
24 United States Attorney's Office
25 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336

(continued next page)

26 Court Reporter: Felicia Rene Zabin, FCRR, RPR, CCR 478
27 United States District Court
28 333 Las Vegas Boulevard South, Room 1334
29 Las Vegas, Nevada 89101
FZ@nvd.uscourts.gov

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PARTIAL TRANSCRIPT

Day 3 - 2

2:16-cr-46-GMN-PAL - February 9, 2017

1 APPEARANCES CONTINUED:

2 For Defendant Eric J. Parker:

3 JESS R. MARCHESE, ESQ.
4 Law Office of Jess R. Marchese
5 601 Las Vegas Boulevard South
6 Las Vegas, Nevada 89101
7 (702) 385-5377

8 For Defendant O. Scott Drexler:

9 TODD M. LEVENTHAL, ESQ.
10 Leventhal and Associates
11 626 South Third Street
12 Las Vegas, Nevada 89101
13 (702) 472-8686

14 For Defendant Richard R. Lovelien:

15 SHAWN R. PEREZ, ESQ.
16 Law Office of Shawn R. Perez
17 626 South Third Street
18 Las Vegas, Nevada 89101
19 (702) 485-3977

20 For Defendant Steven A. Stewart:

21 RICHARD E. TANASI, ESQ.
22 Tanasi Law Offices
23 601 South 7th Street, 2nd Floor
24 Las Vegas, Nevada 89101
25 (702) 906-2411

26 For Defendant Todd C. Engel:

27 TODD C. ENGEL, PRO SE
28 #18427-023
29 Nevada Southern Detention Center
30 2190 East Mesquite Avenue
31 Pahrump, Nevada 89060

32 JOHN G. GEORGE, ESQ.
33 800 South 8th Street
34 Las Vegas, Nevada 89101
35 (702) 561-7855
36 (Standby Counsel)

PARTIAL TRANSCRIPT

Day 3 - 3

2:16-cr-46-GMN-PAL - February 9, 2017

1 APPEARANCES CONTINUED:

2 For Defendant Gregory P. Burleson:

3 TERRENCE M. JACKSON, ESQ.
4 Law Office of Terrence M. Jackson
5 624 South 9th Street
6 Las Vegas, Nevada 89101
7 (702) 386-0001

8 Also Present:

9
10
11
12
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16
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24
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7 Sharon Gavin, Special Agent, FBI
8 Joel Willis, Special Agent, FBI
9 Mike Abercrombie, FBI
10 Mamie Ott, Legal Assistant

2:16-cr-46-GMN-PAL - February 9, 2017

1 LAS VEGAS, NEVADA; THURSDAY, FEBRUARY 9, 2017; 9:02 A.M.

2 --oo--

3 P R O C E E D I N G S

4 THE COURT: All right. So the is the Government ready to
5 present opening statement?

6 MR. MYHRE: We are, Your Honor.

7 THE COURT: Go ahead, please.

8 MR. MYHRE: Thank you, Your Honor.

9 GOVERNMENT'S OPENING STATEMENT

10 MR. MYHRE: Thank you, Your Honor.

11 May it please the Court.

12 Counsel for the defendants.

13 Ladies and gentlemen, good morning.

14 JURORS: Good morning.

15 MR. MYHRE: About 90 miles northeast from here, along
16 Internet 15, a few miles on this side of the Nevada-Arizona state
17 border, sits a wash, a big, dried-up ditch. It's known to the
18 people in the nearby town of Bunkerville, Nevada, as the Toquop
19 Wash.

20 On any ordinary day -- you wouldn't notice it; in fact,
21 if you blinked while you were taking the 15 to -- north to
22 Mesquite or south of Vegas, you'd miss it. And, if in fact you
23 did notice it, it would look like hundreds of other washes and
24 ravines and ditches that run throughout this very rural part of
25 southeastern Nevada.

1 But April the 12th, 2014, that was no ordinary day.
2 Things were different. On that day, this inconspicuous ditch in
3 the middle of nowhere became the center of the universe for about
4 20 to 30 law enforcement officers with the National Park Service
5 and the Bureau of Land Management, a place they likely will
6 remember for the rest of their lives. For many of those officers,
7 that day in that ditch became the worst day of their law
8 enforcement lives. Many of those officers -- almost to a person,
9 some of them combat veterans, all of them experienced -- thought
10 that that day would be the last; that they or someone else would
11 die in that ditch.

12 Around noon a mob of about 270 very angry people marched
13 out from under the northbound 15 overpass; about 40 of the mob on
14 horses, the rest on foot. They came in all shapes, sizes, and
15 ages: men, women, children, some were wearing body armor, some
16 tactical vests, some were dressed like soldiers, some were dressed
17 in T-shirts and blue jeans. And the mob of horses, as it pushed
18 out from under that overpass, marched toward the officers who are
19 about a hundred yards opposite them, just on the other side of the
20 southbound overpass. Interspersed among the mob, on the bridges,
21 and in the wash were guns; guns of all types: guns holstered,
22 guns carried, guns slung, and guns at the ready.

23 These officers had seen the guns even before the mob had
24 marched out as they were gathering under the northbound bridge.
25 And, as they saw the guns, the officers started calling them out

1 to each other: Three guns on the northbound overpass. Guy behind
2 a tree. Guy above you with a long gun. Third long gun down in
3 the crowd, white shirt. He's got a gun on top. They've got vests
4 on. I can't tell if they are ballistic.

5 The officers used loudspeakers to command the crowd to
6 leave, to please disperse; that they were in violation of federal
7 court orders; that they could be arrested. But that didn't work
8 and the crowd didn't leave. It moved forward, it stopped, and it
9 formed a line across the bottom of the wash between the two
10 overpasses, now about 60 yards from where those officers were on
11 the other side of the southbound overpass. The officers were
12 behind a makeshift metal rail gate that had been strewn across the
13 bottom of that wash underneath the bridge.

14 The crowd now faced off with the officers, cursed them:
15 Get outta here. Give us the cattle. The crowd gathering on the
16 southbound overpass directly above where those officers stood down
17 in the wash yelling, screaming at the officers.

18 For the past week, the Bureau of Land Management, or
19 the -- what we will refer to them throughout the trial as the BLM,
20 has been conducting -- had been conducting a court-authorized --

21 COURT REPORTER: I'm sorry.

22 MR. MYHRE: -- court-authorized impoundment to gather and
23 remove the cattle from federal public lands. The officers were
24 sent to that gate to protect the impoundment site. Behind them
25 were civilian employees and BLM property, including about 400 head

1 of cattle that had been gathered up to that time.

2 As law enforcement officers, to protect property and to
3 protect people is part of their everyday jobs. That's what they
4 signed up for, that's what they do, and that's what those officers
5 were doing that day behind the gate.

6 The mob was there to get the cattle. And, as they faced
7 off, the guns in the crowd kept moving. They were moving in and
8 out of the crowd. They were moving onto the bridges above them
9 and they were moving up on the high ground, on the sides of the
10 wash.

11 The officers continued to call out to each other: We
12 have two with long guns under the bridge taking cover. Blue
13 shirt, big guy, long gun with a scope. That's at least 10 or 12
14 long guns; maybe more. Four guys in camo sitting on ramp; one's
15 got a long gun. Fat dude behind a tree, he's got a long gun.
16 One, two, three, four. I've got four knelt down and I know at
17 least three of them have a long gun. I've lost track. 20-plus.
18 20-plus.

19 The officers were on the worst ground possible. They
20 were in a ditch. The terrain acted like a funnel and they were at
21 the bottom of it. They were in the open. There was no natural
22 cover or concealment, only their vehicles to provide them with
23 protection. And the gunmen moved to the high ground; they had the
24 superior position.

25 The officers could see that they were outnumbered and

1 that they were outgunned. But the officers could not leave. They
2 could not let that crowd breach the gate. There were wild cattle
3 penned up just a few hundred yards behind them at the impoundment
4 site and there were unarmed civilian workers working at that
5 impoundment site. The officers were there to protect them and
6 now, almost at noon on April the 12th, they were hot and they were
7 exhausted and still they maintained their position.

8 Again, the officers, using loudspeakers, implored the
9 crowd to leave, to disperse; told them that they were violating a
10 court order; they would be arrested; told 'em -- told 'em that
11 they saw the guns and they asked the gunmen: Please, disperse.
12 Disperse. Leave the area. The crowd just grew angrier. It
13 became apparent now to the officers that the mob would breach the
14 gate.

15 After facing off for about 15 minutes, the crowd advanced
16 to the gate. This flimsy metal gate, put there more to keep
17 animals in than people out, now became a line in the sand; it
18 became the objective of the crowd.

19 The officers feared for their lives. They could see the
20 crowd was angry, but they also could see that it was ignoring
21 their commands. Even ignored their threats that people would be
22 arrested or that they would be PepperBalled; that is, that they
23 would use a riot control agent to control the crowd. But they
24 knew that if they used a pepper bomb the crowd would think it was
25 a gun and that it would start a firefight and that people on both

1 sides of that gate would be killed. The officers were stymied.
2 They couldn't use force to stop that breach and they -- for fear
3 that they would start a firefight, but they couldn't leave either.

4 The officers deal with angry people all the time.
5 Name-calling is just part of the job for a law enforcement
6 officer. And these officers see guns all the time. They see them
7 in every day of their course of their duties working in very
8 remote areas on the public lands. It wasn't just the presence of
9 angry people, it wasn't just the presence of guns that was the
10 concern, and it wasn't just one thing. It was all of it
11 together. That was the game changer. It was the guns moving in
12 and out of the crowd. It was the guns -- gunmen moving to the
13 high ground. It was gunmen moving in and among unarmed women and
14 children to mask their movements. And it was gunmen in the wash
15 raising and lowering their weapons in a threatening manner. It
16 was the horses, how to stop the horses and those gunmen with the
17 horses. In a fight between a horse and a human, the horse usually
18 wins.

19 But, most of all, it was the tactical positions of the
20 gunmen: the high ground in the wash, the northbound bridge above
21 the officers' position. And these are the defendants, ladies and
22 gentlemen, who sit before you today. They are the gunmen on the
23 high ground and the gunmen on the bridges that faced off with
24 those officers that day in that wash on April the 12th, 2014.

25 Defendant Burleson, the high ground in the wash.

1 Defendant Stewart, the northbound bridge.

2 Defendant Drexler, the northbound bridge.

3 Defendant Engel, northbound bridge.

4 Defendant Lovelien, northbound bridge.

5 Defendant Parker, northbound bridge.

6 And the evidence in this case will show, ladies and
7 gentlemen, that as the events in that wash began to unfold before
8 them they had the advantage and they could see exactly what was
9 going on before them and they knew exactly why they were there and
10 what they hoped to achieve. They knew that they were part of a
11 much broader show of force, that they were there to threaten the
12 officers, to interfere with them as they did their jobs, to stop
13 them, to make them back down, to make them leave and to release
14 the cattle.

15 The evidence will show, ladies and gentlemen, that the
16 tension in that wash that day was so great that something as
17 simple as the backfire of a vehicle or an accidental discharge of
18 a weapon would have created a firefight where unarmed men, women,
19 and children could have been killed; where officers could have
20 been killed.

21 The evidence will show that these defendants knew that.
22 They kept the pressure on by pointing and brandishing their long
23 guns at the officers from the bridge and from the high ground.
24 And it worked. They instilled fear in the officers and forced
25 them to choose between using force to remove the obvious threats

1 to their lives before them or backing down and leaving the post
2 for the sake of the safety of everybody. And the officers chose
3 to back away and give up the cattle. They chose safety over
4 cattle. And, in doing that, they saved the lives on both sides of
5 that gate including the lives of these six defendants.

6 Ladies and gentlemen, it is a crime to use a gun to
7 threaten a law enforcement officer's life. It is a crime to use a
8 gun to intimidate a law enforcement officer or to interfere with
9 the officer doing their jobs. It's a crime to use a gun to
10 obstruct the execution of a court order. And it's a crime to use
11 a gun to get property from someone against their will. And it's a
12 crime to knowingly work with others to do any of those things.
13 And it's -- whether you're carrying a gun or not -- and it's a
14 crime to incite, to encourage, to help, to assist someone use a
15 gun to impede, interfere, intimidate, and threaten an officer
16 regardless of whether you're carrying a gun.

17 And that is what these six men before you are charged
18 with and that is what we intend to prove. We will prove to you
19 that these men were gunmen there to make the BLM back down and to
20 get the cattle. As the Court has told you, the prosecution --
21 myself, Ms. Ahmed, Ms. Creegan, Mr. Dickinson -- bear the burden
22 to prove these charges to you by proof beyond reasonable doubt.
23 It is a burden that is fair, it is a burden that is just, and it
24 is a burden that we welcome because it is a burden that we will
25 meet.

1 We will show you that these defendants traveled to Nevada
2 with guns looking for a chance to face off with the BLM. And we
3 will prove to you that they knowingly joined up with hundreds of
4 others as part of a show of force for a local cattle rancher named
5 Cliven Bundy. We will prove that these defendants knowingly
6 joined with and supported that mob in the wash. We will prove to
7 you that their goal was to show force in order to get the cattle
8 away from the BLM. The evidence will show that their intent was
9 to use their guns to intimidate and interfere with the BLM
10 officers. We will show to you that their purpose was to use guns
11 to instill fear in those officers; to threaten them with losing
12 their own lives or the lives of unarmed men, women, and children.
13 We will show to you that their purpose was to show force, to
14 threaten force, and to use force.

15 But why would someone, like these six defendants, jump in
16 their cars or trucks and drive for hours to come to a place they
17 never heard of before for someone they didn't know from Adam about
18 something they could have cared less about, some wild cattle? You
19 will hear how this story unfolded. You will hear evidence of how
20 the owner of those cattle, Cliven Bundy, had been under court
21 order since 1998 to gather and remove his cattle from the federal
22 public lands, lands owned and managed by the Bureau of Land
23 Management.

24 He owned a small plot of about 160 acres in the middle of
25 hundreds of thousands of acres of public lands. He didn't keep

1 his cattle on his hundred-and-sixty-acre plot; he let them roam
2 wildly over the hundreds of thousands of acres of public lands
3 just foraging as they might. He let them graze on those lands,
4 but those are taxpayer lands and he was freeloading. He wasn't
5 paying his fees; hadn't paid his fees for over 20 years. Never
6 got permits; didn't believe in 'em. Never got permits. Didn't
7 follow any of the regulations. He wasn't abiding by the law.

8 So, in 1998, the BLM sued him; sued him to get his cattle
9 off the public lands. Bundy argued he could keep his cattle on
10 the land. The court said: No. You're trespassing. You're
11 violating the law. You need to remove your cattle. He blew off
12 the order and left his herd on the public lands.

13 MR. MARCHESE: Objection. Argumentative.

14 MR. MYHRE: The evidence will show --

15 THE COURT: Just a minute. There's a ruling [sic].

16 What was the argument -- or what was --

17 MR. MARCHESE: The objection --

18 THE COURT: -- the objection.

19 MR. MARCHESE: -- is it is getting argumentative. He's
20 saying that he blew off the court order and he'd basically --
21 something to the effect that he did whatever he wanted to do.

22 THE COURT: All right. Sustained.

23 You can rephrase that he ignored the court's order.

24 MR. MYHRE: Thank you, Your Honor.

25 So the evidence will show that he ignored the court's

1 order and that over time his herd continued to grow and continued
2 to roam. You will see that eventually the cattle roamed as far as
3 50 miles away from his home place and into the public lands at the
4 Lake Mead National Recreation Area.

5 In 2013, the BLM went back to court and sued Bundy again.
6 This time two different judges heard the case and two different
7 judges both said: Mr. Bundy, you need to remove your cattle off
8 the public lands. And this time the judges said: If you don't
9 remove those cattle, the BLM will remove them for you. You're in
10 violation of the law.

11 The evidence will show that Bundy was stubborn. He
12 didn't follow those orders just like he hadn't followed the orders
13 before. But this time he vowed publicly to, quote, do whatever it
14 takes to prevent anyone, including the BLM, from taking his
15 cattle.

16 So, when, in early April 2014 federal, officers arrived
17 to enforce the court orders and began gathering the cattle, Bundy
18 immediately began to interfere. You will hear that at first it
19 was just him and his family members that tried to interfere. They
20 tried to block a couple of convoys, made some threats, attempted
21 and provoked confrontations with the BLM. The evidence will show
22 that Bundy quickly realized, though, that he couldn't do it alone.
23 He couldn't stop the BLM with just his family members so he began
24 to recruit others to his cause, recruit others to help him do
25 whatever it takes to prevent the BLM from taking the cattle;

1 people from outside the State of Nevada; people who referred to
2 themselves as "militia"; and people who had guns.

3 You will hear how Bundy joined forces with others to
4 recruit the militia -- these people who call themselves militia --
5 and people with guns. You will hear the pitch that they made over
6 the Internet. You will hear how they referred to the BLM officers
7 as "the aggressors" and "the trespassers"; how they said the BLM
8 was abusing the Bundy family members, surrounding their house,
9 making them shelter in place, pointing guns at them, stealing
10 their cattle.

11 You'll hear how they said, yeah, there are court orders,
12 but those orders come from a corrupt court; that the County
13 Sheriff was acting unconstitutionally because he was not removing
14 the BLM from doing their work out there in the public lands; and
15 how they stated that, quote, we the people need to make the
16 Sheriff do his job.

17 It was all false; it was all fake. But they didn't care
18 and neither did they who answered the call to arms that followed.
19 You'll hear evidence how Bundy and his recruiters used the
20 Internet to reach out and make calls to arms; to call others to
21 bring guns to Nevada; for militia to come to Bunkerville to
22 protect the Bundy family from an agency that has gone rogue, an
23 agency of mercenaries. You will hear how they asked for people to
24 come in such numbers so that they could show force, so that they
25 could outnumber the BLM and back them down. You will hear that

1 their objective was to get the cattle back from the BLM.

2 You will see that these defendants were among hundreds
3 who answered that call. Defendants Drexler, Stewart, Parker, and
4 Engel coming from Idaho; Defendant Lovelien coming from Montana;
5 and Defendant Burleson from Arizona. They came with their guns
6 and they came with their ammunition. The evidence will show they
7 came because they were looking for a chance to face off with the
8 BLM and their chance came.

9 We will prove to you that by the morning of April 12th
10 the number of guns in the area had grown to such an extent and the
11 anger over the BLM had grown and become so palpable that the BLM
12 felt that it was best to call off the impoundment operation, the
13 remainder of that operation, for safety reasons; so that no
14 confrontations could occur, that violence would be avoided.

15 You will see how the Clark County Sheriff on April the
16 12th met publicly with Cliven Bundy at a rally site that Bundy and
17 his supporters had erected some 5 miles from the impoundment site.
18 You will hear how the Sheriff had gone there to deescalate the
19 anger and the tension; telling the crowd, huge crowd that was
20 assembled before Bundy on a makeshift stage, that he was there to
21 make a very emotional issue safe. He told Bundy in front of the
22 crowd that the BLM was done. They are goin' home, they are taking
23 their equipment, and they are leaving. You'll hear how the
24 crowd -- people in the crowd asked: Well, what about the cattle?
25 What about the cattle? You'll hear the Sheriff respond to Bundy:

1 That's something we need to talk about, that we need to sit down
2 and talk about.

3 We will show you that with that Bundy gave him the back
4 of the hand; that in front of his large crowd of supporters, with
5 militia lined up on the stage in front of him, he told the Sheriff
6 that he was not there to negotiate; that he wanted to put legs
7 underneath the Sheriff. He told the Sheriff to get bulldozers and
8 knock down the toll booths at Red Rock Park and other national
9 parks where they collect tolls for entrance fees. He also told
10 the Sheriff to disarm the officers at the impoundment site and to
11 return in one hour and stack those arms before him.

12 You will hear that the Sheriff immediately left the rally
13 site and he met with the SAC of the impoundment operation, Special
14 Agent in Charge Dan Love. The Sheriff told Love that he needed to
15 find a way to get the cattle out of there because it's a flash
16 point for Bundy and his supporters; that it was a point that
17 could -- a point of contention that could cause violence. But it
18 was too late. You will hear that, when the appointed hour came
19 and went, Cliven Bundy rallied his troops. You will hear how he
20 worked them up. You will hear how he told the crowd -- the crowd
21 that included many, many guns -- that he told them the Sheriff
22 wasn't doing his job and that we the people had to do it for him.

23 Around 11:00 o'clock that morning, he told them: We're
24 going to take our land back. God is going to be with us. We are
25 going to get the rest of the cattle out of the compound by the

1 freeway. Let's go get those cattle. We're going to go up the
2 freeway. We're gonna close down, shut down the freeway. And
3 these cowboys on the horses will meet you up there at the Toquop
4 Wash. And he said: Cowboys, let's go get 'er done. And, with
5 that, over 400 Bundy supporters at that rally site became Bundy
6 followers and they moved 5 miles from the rally site to the
7 impoundment site where the BLM officers were doing their jobs for
8 security for that site.

9 40 by horses and the rest by car, truck. And you'll see
10 that they did just as Bundy had told them. By 11:40, they had
11 shut down the northbound lanes of the freeway making it difficult
12 for local law enforcement officers to respond. What few Metro
13 officers arrived quickly took up a blocking position between -- on
14 the median between the north- and southbound lanes of the 15 to
15 protect the entrance to the impoundment site, which we refer to
16 throughout this trial as --

17 COURT REPORTER: I'm sorry?

18 MR. MYHRE: -- Post 1.

19 But they didn't have -- the evidence will show they
20 didn't have enough officers to hold that position. Followers,
21 including militia, continued to pour into that area. And soon
22 Post 1 was fully occupied and difficult to hold. And, while that
23 Post 1 was occupied, the Bundy followers, including the horses,
24 met underneath that northbound bridge in the wash that we just
25 talked about at the beginning of this presentation. And, as that

1 group marched out from that northbound bridge, you will see
2 evidence that they were led by one of Cliven's sons named Ammon
3 Bundy.

4 Post 1 and Post 2 were now overwhelmed. And over the
5 radio the announcement was made: Too many guns to count in the
6 wash. And, with that, with the BLM outnumbered, outpositioned,
7 and outgunned, the decision was made to back out and to release
8 the cattle to avoid injury.

9 By 12:13, the Special Agent in Charge Dan Love walked out
10 by himself in front of the line of officers that were guarding
11 Post 1. He walked across that deadly space between the officers
12 and the gate. His officers behind their truck, some of them their
13 guns raised in and honed in on the gunmen on that northbound
14 bridge. They saw 'em and they had 'em and they couldn't lock --
15 and they were not going to back down. At one point, Agent Love
16 turned around and said: Lower the guns. And they said: No.
17 Look. Look. (Pointing.)

18 By 12:15, with this situation as tense as it is, Love
19 made it to the gate and met with Ammon Bundy. The gunmen moving
20 with the crowd, the crowd moving with Bundy to the gate pressing
21 against that metal fence; Love telling them: Can't breach this.
22 This is bad. Can't breach. We need you to back up. Back up. No
23 one moved. But gunmen moved up toward that area. The gunmen now
24 had moved up onto high ground up along that southbound -- those
25 southbound lanes, these defendants; on the bridges; croned out;

1 zeroed in on Love and the officers behind that gate.

2 You will hear how Agent Love met with Bundy and implored
3 him to back the people away from the gate, to create space. Bundy
4 refused, telling Love that they were staying there as a presence.

5 Love telling Bundy: I'm telling you. You need to
6 deescalate the situation. I'm imploring upon you and your
7 responsibility to deescalate the situation. I need them back. I
8 can't break off these guys until you get this crowd back. Bundy
9 continued to say: No. You need to leave.

10 The evidence will show that this went back and forth
11 until eventually Bundy agreed to give the BLM 30 minutes to
12 negotiate the release of the cattle. Ammon Bundy's brother Dave
13 crossed over the gate, walked up with Love up to Post 1 where he
14 met with another brother Ryan Bundy at Post 1, and there they
15 negotiated the release of the cattle. Love telling Ryan Bundy:
16 You guys are the ones calling the shots here now; but I cannot
17 authorize you, under the law, to release those cattle. If you
18 release those cattle, that's something that you bear. Ryan Bundy
19 said: Yeah, I understand. It's on me. And he also said: We
20 need you guys to leave right away. We need you to leave right
21 now. So the word was quickly passed that the BLM had 1 hour to
22 get out.

23 And, by 2:00 o'clock, they had packed up; thrown what
24 gear they could -- the officers threw what gear they could in
25 their vehicles; civilians; equipment that they could grab; the

1 rest they left behind and they lined up and they -- with Metro
2 officers escorting them, they drove out of that compound site
3 leaving behind the equipment and the cattle. And then they drove
4 through a cordon of Bundy followers as -- yelling, screaming, and
5 shouting profanities at them as they left.

6 By 3:00 o'clock, the cattle were released and returned to
7 Bundy. His followers, including these defendants, said: We won.
8 The west has now been won.

9 Ladies and gentlemen, there is a lot of evidence in this
10 case that will be presented to you over the course of the next
11 several days and weeks to follow. Much of it is going to be video
12 and audio evidence: dash cams, audio cams, aerial shots, shots by
13 bystanders, by filmmakers who were on the scene. And it's a lot
14 to get through. Some of it's going to be long and perhaps
15 tedious. And we will be very mindful and efficient with your
16 time, but it's something that's gonna have to be done so we ask
17 you in advance to bear with us.

18 But, in the final analysis, all of that said, this case
19 is really very, very simple; it's a very simple case. This case
20 is about these defendants on that bridge and on the high ground on
21 April the 12th. The evidence will show that these law enforcement
22 officers were there doing their jobs. They were where they were
23 supposed to be when they were supposed to be there doing what they
24 were supposed to be doing, what two court orders authorized them
25 to do. These defendants interfered with them. They intimidated

2:16-cr-46-GMN-PAL - February 9, 2017

1 them. They threatened their lives. They forced them to leave
2 their posts. They threatened. They intimidated. They
3 interfered.

4 The evidence will show that this was no protest or
5 anything else. There was a similar purpose here, that their
6 intent was to get the BLM to back down and to get those cattle and
7 that they would use force to violence to do it.

8 The evidence will show that Bundy did in fact do whatever
9 it takes; that he got what he wanted, that he got it at the end of
10 a rifle barrel; and that these defendants, these defendants,
11 knowingly and willfully supplied that barrel; and we'll prove it.

12 And, at the close of the evidence in this case, we will
13 stand before you again and ask that you return a verdict of guilty
14 on all counts in the Indictment.

15 Thank you so much for your time and for your service in
16 the days and weeks to come. Thank you.

17 THE COURT: Thank you, Mr. Myhre.

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20 COURT REPORTER'S CERTIFICATE

21 I, FELICIA RENE ZABIN, Official Court Reporter, United
22 States District Court, District of Nevada, Las Vegas, Nevada, do
23 hereby certify that pursuant to 28 U.S.C. § 753 the foregoing is a
true, complete, and correct transcript of the proceedings had in
connection with the above-entitled matter.

24 DATED: February 23, 2017

25 /s/ Felicia Rene Zabin
FELICIA RENE ZABIN, RPR, CCR NO. 478